



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TTY: Contact Through Relay
Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 64
Commerce #: 53538-1828-45-A
BRRTS #: 03-28-001839
Site Name: Speedway SuperAmerica #2123
Site Address: 245 N Main St, Fort Atkinson, 53538
Site Manager: Jeff Ackerman
Address: 3911 Fish Hatchery Rd
City, State Zip: Fitchburg, WI 53711-5367
Phone: 608-275-3323
e-mail: jeff.ackerman@wisconsin.gov
Bid Manager: Alan A. Hopfensperger
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 266-0562
e-mail: Alan.Hopfensperger@Wisconsin.Gov

Bid-Start Date:	December 28, 2009
Questions must be received by (See Section 2 (B)):	January 11, 2010, 4:00 PM
Responses will be posted by (See Section 2 (B)):	January 29, 2010
Bid-End Date and Time:	February 12, 2010, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Xer-Lith Printing-Madison, 131 W Wilson St, Madison, WI 53703
Phone: (608) 257-8900 Fax: (608) 257-8900

SECTION 2 – Site-Specific Bid Requirements

General Comments

The site is currently a vacant lot, with a concrete, asphalt, and gravel surface. The most recent operations at the site included a Speedway gasoline station. Prior to recent operations, the site and much of the neighboring property was the site of a manufacturer of stainless steel equipment for the dairy industry.

The geology at the site consists of up to about ten feet of fill (which includes some concrete slabs) on top of till. The till has been described as silty sand and sandy silt, with some gravel. A poorly graded sand unit ("channel sand") is present beneath the till on the northern and western side of the property. The channel sand appears to be the controlling feature for shallow groundwater at and near the site.

The depth to groundwater is between 16 and 24 feet below ground. Historical on-site groundwater elevation data, has been consistent and has lead to interpretation of groundwater flow to the northwest. Data from the LUST site across the road to the north (the Udovich Estate Property) shows groundwater flow to the southeast. The data sets from the two sites appear to be compatible when the channel sand is viewed as a hydraulic drain. Groundwater flow in the channel sand is believed to be to the southwest. The western extent of the channel sand has not yet been identified.

Soil and groundwater contamination, including free product, have been found at the site. The highest levels of contamination are on the north side of the site, in the vicinity of the channel sand. No active soil remediation has been performed. Free product removal was performed at wells RW-1 and RW-2 in 2007 and 2008. Recent efforts at free product removal have been unsuccessful, due to a lack of free product in the wells. Concentrations of petroleum constituents in the monitoring wells are generally stable.

Additional work is needed to establish the stability of the petroleum plume at its most down-gradient extent, at the western side of the site. The distribution of the channel sand needs to be more thoroughly defined, to evaluate its effects on groundwater flow. The groundwater quality in the down-gradient part of the channel sand should be determined in order to check the stability of the groundwater contaminant plume. At-depth grain-size analyses at several locations will aid in determining the hydraulic conductivity of the aquifer materials and the behavior of the free product.

Minimum Remedial Requirements

Qualifications: This work must be performed by, or under the direct supervision of, a Hydrogeologist, as that term is defined in NR 712, Wis. Adm. Code.

Monitoring Well Installation:

Install two NR 141 monitoring wells (MW-14 and MW-15) at likely down-gradient locations within the channel sand on the west side of the site (see map), as follows:

- Drill the borings using 4.25 inch inside-diameter hollow-stem augers.
- Perform 2-foot split-spoon sampling every 2.5 feet. Drive the split spoon with a 140-pound hammer and record the blow counts for each six inch interval.
- Geologically log the soil samples in accordance USCS methodology and complete soil boring logs using the format and instructions provided with DNR form 4400-122.

- Field screen the soil samples using a photo-ionization detector. Collect two unsaturated soil samples for PVOC, naphthalene, and lead analysis if the field screening indicates contaminated soil. Submit the two samples from each boring with the highest field screening value for analysis. If field screening does not indicate contamination at a given boring, select only one sample for laboratory analysis, taken at the deepest unsaturated sampling interval.
- Collect one soil sample from the saturated screened zone of the monitoring well (as determined using the criteria below) for grain-size analysis. The soil sample for grain-size analysis shall be a discrete sample from one geological unit, and the exact sample depth and interval (e.g. 27.50 to 28.25 feet) shall be clearly indicated on the boring log. The samples for grain-size analysis shall be analyzed using both sieve and hydrometer testing.
- Construct the wells using 2-inch diameter, 10-foot-long, 0.010 inch slot, well screens. The screen shall intersect the shallowest saturated portion of the channel sand. If no sand unit is encountered, place the well screen so that it intersects the top seven feet of the water table, as based on the geologic logging of the boring. Any unscreened portions of the lower borehole shall be backfilled with 3/8-inch bentonite chips.
- The maximum total boring depth shall be 30 feet. Shallower borings will be acceptable if saturated channel sand is identified at a shallower depth and the monitoring well can be completed with the screen interval intersecting at least five feet of the saturated channel sand.
- Well materials must be placed with the drill string in place, in order to avoid collapse of formation materials into the borehole. A weighted tape shall be used to determine the depth of well materials and to prevent bridging of well materials.
- Develop the new wells in accordance with the requirements of NR141, Wis. Adm. Code.
- Survey the new wells to the nearest 0.01 feet referenced to Mean Sea Level, and survey existing monitoring wells MW-4 and MW-1 to assure that the old and new survey data are comparable.

Soil Boring Installation:

Install two borings, SB-900 and SB-1000, adjacent to the MW-9 and MW-10, respectively (see map for approximate locations), as follows:

- Install the borings near the wells of interest (MW-9 and MW-10), but do not damage or otherwise compromise the nearby recovery wells or the monitoring wells.
- These borings may be installed using a hydraulic probe or hollow-stem auger drilling.
- The maximum depth of each boring shall be 24 feet below grade. Collect one 4-foot-long hydraulic probe sample or one 2-foot split-spoon sample starting 20 feet below grade at each boring. (If sample recovery is insufficient for characterization and testing, collect another sample from a lower depth).
- A soil sample from the saturated smear zone (as determined using the criteria below) shall be tested for grain-size analysis. The sample shall be a discrete sample from one geological unit, with the exact sample depth and interval (e.g.

27.50 to 28.25 feet) clearly indicated on the boring log. The samples for grain-size analysis shall be analyzed using both sieve and hydrometer testing.

- Geologically log the soil samples in accordance USCS methodology and complete the soil boring log using the instructions provided with DNR form 4400-122.

Groundwater Monitoring:

Groundwater sampling shall be performed in conformance with the procedures outlined in DNR's "Groundwater Sampling Desk Reference", publication DG-037 96.

- Sample monitoring wells (MW-1, MW-2, MW-3, MW-4, MW-5, MW-6, MW-7, MW-9, MW-10, MW-11, and PZ-1) for two rounds for PVOCs and naphthalene. Sample the two new wells (MW-14 and MW-15) for VOCs, and lead in the initial round, and for PVOCs and naphthalene in the 2nd round. *(If VOCs are detected at MW-14 and MW-15, DNR will require additional VOC testing during the second round as well. The PECFA eligibility for additional costs associated with the second round of VOC analysis at MW-14 and MW-15 will be determined at that time and the cost difference for this activity should be submitted to Commerce in the form of a bid cap modification request.)*
- The first groundwater sampling event may take place only after at least one week has passed since the installation and development of the two new wells.
- Measure depth to water and product thickness (if encountered) in all accessible monitoring wells and recovery wells that were installed as part of this site investigation. In the event that sampling takes more than one day, the fluid levels must all still be measured on the same day.
- Remove and properly dispose any free phase product that is encountered. If possible, collect one free phase product sample for fluid property analysis for LNAPL characterization (density (gm/cc), viscosity (cp) and interfacial tensions (dyne/cm). The cost for LNAPL shipping and laboratory analysis shall be included as a contingency cost item on the 2nd page of the Bid Response.

Reporting:

In addition to the specific electronic reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site as listed below the contracted consulting firm must submit the following upon completion of the scope of work.

A report, meeting the requirements of NR 716 Wis. Adm. Code, on the recent well and boring installations, the past and present status and quantity of free product, and a summary of all the historical groundwater sampling data. At a minimum the report must include:

- Concise tabular summaries of all historical PVOC, naphthalene, and water level data.
- Water table maps for the two sampling rounds. The water table configuration should be consistent with the findings regarding the presence of, or lack of, a significant hydraulic feature.
- Two cross sections; one from southeast to northwest, and one from northeast to southwest, perpendicular to, and down the approximate center of, the sand unit/hydraulic drain, respectively. The cross sections shall depict the site stratigraphy, water levels, and contaminant distribution. Cross sections shall be an

original work of the contracted consulting firm and not an adaptation of previous cross sections (which are known to contain inaccuracies).

- An isoconcentration map of the groundwater contaminant with the widest distribution above standard. The map shall show the concentrations at each well.
- A map showing the extent of soil contamination above standards. The map shall show the contaminant concentrations at each sample location.
- Other figures/graphs that are needed to illustrate the consultant's findings and conclusions.
- Approximation of the hydraulic conductivity of the aquifer materials using the results of the grain-size analyses and the Hazen method.
- Calculation of likely groundwater flow rate(s) at the site.
- A narrative explaining what was done recently, the findings, conclusions, and recommendations.
- The necessary forms, lab sheets, and other documentation.
- The contracted consulting firm will need to review the file to prepare the summary report. The data provided in association with this bid specification are an aid in determining the cost of work, and are not intended as a comprehensive transfer of site knowledge. Historical data are available at the DNR Fitchburg Service Center, and should be reviewed by the contracted consulting firm, as appropriate.

Closure Contingency Items:

While this bid is not a bid to closure, there maybe a possibility of attaining closure at the conclusion of the work scope conducted under this bid or at anytime prior if stable or decreasing trends are evident closure. If closure is appropriate, a recommendation for closure should be provided in the final report. If the project manager concurs with this recommendation, prepare and submit a complete closure report and GIS Registry packet (consistent with ch. NR 726, Wis. Adm. Code requirements) for closure consideration. For the purposes of the bid, bidders must provide a separate contingency cost line item for closure-related costs (including, but not limited to final well abandonment costs, closure form and narrative, GIS packet, deed restriction and maintenance plan) in their bid response. Commerce will modify the bid cap for the closure-related contingency costs, per the costs provided on the 2nd page of the Bid Response.

Any waste generated as a result of each phase of work shall be collected, stored, and disposed of appropriately. Waste disposal costs for each activity must be included in this bid.

The DNR Project Manager and Commerce Bid Manager shall be notified by the contracted consulting firm or the responsible party at least two weeks prior to the commencement of the Scope of Work activities in this bid.

Bidders shall provide line item costs for all the activities listed above in the table provided on the 2nd Page of the Bid Response.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.

5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE – BID ROUND 64

(1st Page)

Department of Commerce PECFA Program

Site Name: Speedway SuperAmerica #2123

Commerce #: 53538-1828-45-A

BRRTS #: 03-28-001839

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE – BID ROUND 64**(2nd Page)**

Department of Commerce PECFA Program

Site Name: Speedway SuperAmerica #2123**Commerce #: 53538-1828-45-A****BRRTS #: 03-28-001839****Consulting Firm Name:** _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity. If a future change order is needed to modify the cost cap, Commerce will use the bid unit rates for the modifications.

1	Install two monitoring wells with soil sampling as specified above, to a maximum depth of 30 ft. (Total drilling footage 60 ft.), include well surveying, analytical costs for soil sampling and lab costs for two soil sieve and hydrometer analysis samples.	\$
2	Install two soil borings to a depth of 24 ft. to collect smear zone soil sample (Total drilling footage 48 ft.), include lab costs for two sieve and hydrometer analysis samples.	\$
3	Monitoring 1 st round (include analytical cost)	\$
4	Monitoring 2 nd round (only include analytical costs for PVOCs and naphthalene)	\$
5	Free product removal from 2 wells, for 2 events	\$
6	Documentation (reports, correspondence, etc.)	\$
7	PECFA Claim Preparation	\$
8	Other (If necessary), specify	\$
9	Total Bid Amount	\$
CONTINGENCY COSTS (Will be Approved and Added to the Bid Cap as Needed)		
•	Free product removal unit cost (\$/per well).	\$
•	LNAPL sample collection and physical property lab testing (viscosity and density).	\$

<ul style="list-style-type: none"> • 	Contingency cost for all closure-related costs (lump sum), including but not limited to case summary and closeout form and report, GIS Registry requirements, appropriate notification to the public, but SPECIFICALLY EXCLUDING well abandonment costs (and includes per diem and mileage).	\$
<ul style="list-style-type: none"> • 	Well abandonment costs.	\$